

Remarks

Claims 1-10 and 19-21 are currently pending in the present application. Claims 1 and 19 have been amended, and claims 20 and 21 have been added in order to more clearly define applicants' invention. Claims 11-18 have been cancelled through a previous amendment.

Claims 1-4, 7-10 and 19 have been provisionally rejected under the judicially created doctrine of double patenting over claims 1-10 of copending Application No. 10/097760. Claims 1, 2, 4-9 and 19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown et al. ('822) taken in view of Au et al. Claims 3 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown et al. ('822) in view of Au et al. as applied to claims 1, 2 and 4-9, and further in view of Mikurak et al. Applicants respectfully request reconsideration of the application in view of the foregoing amendments and following remarks.

Rejection Under Nonstatutory Double Patenting

Applicants are filing a terminal disclaimer with this amendment. It is believed that the terminal disclaimer will overcome this rejection, and it therefore should be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

Claim 1 has been amended to recite that the speech recognition (SR) system is configured to receive an audio input and generate a speech recognition (SR) system configured to receive an audio input and generate a result object representing all possible context-dependent interpretations of the audio input so as to be context independent. The claim has further been amended to recite that "a speech application script, loaded at the SR system and configured to task the SR system, the application script defining one or more application contexts, said application contexts being represented as categories of interpretation; and a result object evaluator, configured to receive the result object and said one or more application contexts and, as a function thereof, to generate a specific interpretation result corresponding to said audio input, and to return said interpretation result to said application script. Claim 19 includes similar amendments. Support for these amendments appears beginning on page 15, line 16 of the

specification of the present application.

It is submitted that Brown et al., Au et al. and Mikurak et al. neither anticipate, nor make obvious applicants' claimed invention.

Brown et al. describe in the abstract a "platform for implementing interactive voice response (IVR) applications over the Internet or other type of network." The platform

includes a speech synthesizer, a grammar generator and a speech recognizer. The speech synthesizer generates speech which characterizes the structure and content of a web page retrieved over the network. The speech is delivered to a user via a telephone or other type of audio interface device. The grammar generator utilizes textual information parsed from the retrieved web page to produce a grammar. The grammar is supplied to the speech recognizer and used to interpret voice commands and other speech input generated by the user. The platform may also include a voice processor which determines which of a number of predefined modes best characterized a given retrieved page, such that the process of generating an appropriate verbal description of the page is considerably simplified. The speech synthesizer, grammar generator, speech recognizer and other elements of the IVR platform may be operated by an Internet Service Provider, thereby allowing the general internet population to create interactive voice response applications without acquiring their own IVR equipment.

It is clear that Brown et al. make no suggestion of generating a result object representing all possible context-dependent interpretations of the audio input so as to be context independent. Nor do Brown et al. suggest an application script that defines one or more application contexts, whereby the application contexts are represented as categories of interpretation. Finally, there is no object evaluator, configured to receive the result object and the one or more application contexts so as to generate a specific interpretation result corresponding to the audio input, and return the interpretation result to the application script.

It is submitted that neither Au et al. nor Mikurak et al. overcome the deficiencies of Brown et al. Au et al. was cited by the Examiner to teach a "set of semantic data represented as a semantic tree instance that is represented by at least one object (fig. 61-71, see abstract, col. 60, lines 22-35, col. 6, lines 29-31, col. 59, lines 51-55, and col. 18, lines 1-9)." See page 5 of the Official action, beginning on the penultimate line, Au et al. however, makes no suggestion of generating a result object representing all possible context-dependent interpretations of an audio input so as to be

context independent. Nor do Au et al. suggest an application script that defines one or more application contexts, whereby the application contexts are represented as categories of interpretation. Finally, there is no object evaluator, configured to receive the result object and the one or more application contexts so as to generate a specific interpretation result corresponding to the audio input, and return the interpretation result to the application script.

The remaining reference to Mikurak et al. was cited by the Examiner as disclosing "interfaces [which are] exposed via ActiveX facilities (col. 15, lines 21-40)." See page 9, paragraph 12, second sentence. Clearly, Mikurak et al. however, makes no suggestion of generating a result object representing all possible context-dependent interpretations of an audio input so as to be context independent. Nor do Mikurak et al. suggest an application script that defines one or more application contexts, whereby the application contexts are represented as categories of interpretation. Finally, there is no object evaluator, configured to receive the result object and the one or more application contexts so as to generate a specific interpretation result corresponding to the audio input, and return the interpretation result to the application script.

The pending claims, claims 1-10 and 19-21, are believed to be in condition for allowance. An early and favorable action thereon is therefore earnestly solicited. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 that may be required, or credit any overpayment, to our Deposit Account No. 50-1133.

Respectfully submitted,



Toby H. Kusmer, Reg. No. 26,418
McDermott Will & Emery LLP
28 State Street
Boston, MA 02109
Tel (617) 535-4065
Fax (617) 535-3800
E: tkusmer@mwe.com

Date: September / , 2005